### Case:05-15798-swd Doc #:80 Filed: 09/16/11 Page 1 of 13

	United States Bankruptcy Court for the Western District of Michigan				FILED	
IN RE:		). )	Case No.	05-15798	2011 SEP 16 AM 10: 47	
William F Bessemer,		)	(Chapter	7)	BARRET LA FREE CLERY	
	DEBTOR (S)	)			WEST, DIST, OF MICH.	

#### APPLICATION FOR RELEASE OF UNCLAIMED FUNDS

IT APPEARING THAT, a dividend check in the amount of \$8,449.71 was issued by the trustee to Fifth Third Bank, creditor in the above referenced case.

IT ALSO APPEARING THAT said check was not negotiated by said payee and the trustee, pursuant to 11 U.S.C. Section 347(a), delivered the unclaimed funds to the clerk, U.S. Bankruptcy Court. These funds are currently being held by the United States Treasury.

IT ALSO APPEARING THAT since the applicant is a funds locator, this application includes a Power of Attorney authorizing the undersigned, Greg Griffith, Attorney in Fact, to petition the Court on behalf of the claimant for the release of these funds.

IT ALSO APPEARING THAT this application includes a signed and notarized affidavit of the undersigned that he/she has made all reasonable efforts to believe that the person or entity claiming right to these funds is the legal owner of such funds.

IT ALSO APPEARING THAT the U.S. Attorney for the Western District of Michigan has been provided a copy of this application allowing 20 days from the date of service to file an objection to payment of the unclaimed funds.

THEREFORE, An application is made for an order directing the Clerk of Court to pay said unclaimed funds (or to cause a voucher to be issued to the Administrative Office of the U.S. Courts directing the U.S. Treasury to issue a check) to the order of <u>Greg Griffith</u>, applicant (or attorney in fact if application by funds locator), and mail said check to the following address: American Property Locators, Inc., 3855 South Boulevard Street, Suite 200, Edmond, OK 73013.

Dated: 9/15-/11\_\_\_\_ Applicant or Attorney in Fact

SUBSCRIBED AND SWORN BEFORE ME THIS 15 DAY OF Supported 2011.

SEAL

MY COMMISSION EXPIRES: 4-27-2015

NOTARY PUBLIC IN AND FOR THE PUBLIC STATE OF OKLAHOMA

OF OKLANIII

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### UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF THE STATE OF MICHIGAN

IN RE: William F Bessemer,		) )	Case No. 05-15798 (Chapter 7)
		)	
	DEBTOR(S)	)	

### AFFIDAVIT OF FUNDS LOCATOR

I, Greg Griffith, have obtained the consent of the claimant to make application for the unclaimed funds as provided in this application. I have made all reasonable efforts required to believe to the best of my knowledge that Fifth Third Bank is legally entitled to the unclaimed funds referenced in this application. I am familiar with State of Michigan requirements for acting in the capacity of Attorney in Fact.

Applicant or Attorney in Fact

AND SUBSC MINIMA J. CUMINITERINA J. CUMINITER SWORN AND SUBSCRIBED TO ME THIS 15 DAY OF September, 2011.

2011

NOTARY PUBLIC IN AND FOR

### Case:05-15798-swd Doc #:80 Filed: 09/16/11 Page 3 of 13

### PROOF OF SERVICE OF APPLICATION ON U.S. ATTORNEY

Notice is hereby given that on September 15, 2011, a copy of the application for Release of Unclaimed Funds was served on the U. S. Attorney for the Western District of Michigan, P.O. Box 208, Grand Rapids, MI 49501-0208. Service was completed via U.S. Mail.

Greq Griffith

### LIMITED POWER OF ATTORNEY

Fifth Third Bank, ("Principal") executes this Limited Power of Attorney with the intention that the attorney-in-fact named below shall be able to act in his\her place for the purposes and duration set forth below.

Principal appoints Greg Griffith of American Property Locators, Inc., 3855 South Boulevard, Suite 200, Edmond, OK 73013 to be his\her attorney-in-fact to act for him\her in his\her name and place, and in any capacity that Principal might act,

# Only to recover cash or cash equivalents arising from the bankruptcy of William F Bessemer, that belong to the Principal,

and may be paid to the Principal after compliance with procedures of applicable laws (the "Unclaimed Funds").

This Limited Power of Attorney shall become effective on the date written below, and shall remain effective, for one year from such date or until the Unclaimed Funds are claimed and remitted to Principal, whichever is sooner.

Principal's attorney-in-fact shall have all of the powers, discretions, elections, and authorities granted by law (including the endorsement of any instrument of payment on behalf of Principal) in connection with the claim, execution, acknowledgment, and delivery of any and all documents necessary or connected with claiming and recovering for Principal the Unclaimed Funds. Principal authorizes the use of a photocopy of this Limited Power of Attorney, for any purpose, in lieu of the original.

PRINCIPAL'S ADDRESS:

Grand Rapids, MI 49546

1850 E. Paris Mall (codeROPS05)

DATED this Lay of September, 2011.

PRINCIPAL:

Fifth Third Bank

EIN: 31-0854433

V: Jacques

STATE OF MICHIGAN)

COUNTY OF KENT)

ACKNOWLEDGMENT

In Witness Whereof, I have hereunto set my official signature and affixed my official seal the day and year first above written.

My Commission Expires:

STACEY L. VANCE

NOTARY PUBLIC – STATE OF MICHIGAN
COUNTY OF OTTAWA
MY COMMISSION EXPIRES 01/25/2014

Acting in the County of

Notary Public

### Case:05-15798-swd Doc #:80 Filed: 09/16/11 Page 5 of 13

## UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF MICHIGAN

In Re:

William F Bessemer

Case No.

05-15798

Debtor (s)

Chapter

### AFFIDAVIT OF CLAIMANT

I, Fifth Third Bank, do hereby state that I am the claimant to the unclaimed funds referenced in this application and that I am, to the best of my knowledge, the legal owner of these funds.

My mailing address and phone number are. 1850 East Paris, (Code

ROPS05), Grand Rapids, MI 49546, phone (616) 653-7606

Dated: 9/8///

Fifth Third Bank

SWORN AND SUBSCRIBED TO ME THIS 8 DAY OF September. 2011

SEAL

MY COMMISSION EXPIRES

STACEY L. VANCE

NOTARY PUBLIC - STATE OF MICHIGAN

COUNTY OF OTTAWA

MY COMMISSION EXPIRES 01/25/2014

Acting in the County of

NOTARY PUBLIC IN AND FOR

THE STATE OF Michigan

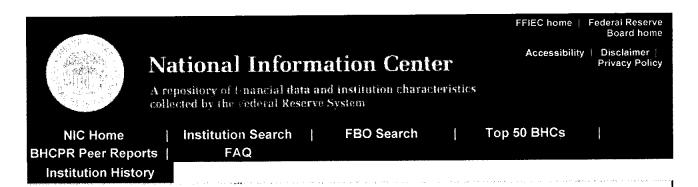
Case:05-15798-swd Doc #:80 Filed: 09/16/11 Page 6 of 13



### Colleen Trapp Assistant Vice President Bankruptcy Manager

Tel. 616-653-7606 Fax 616-653-9020 Toll free 877-812-0490 colleen.trapp@53.com

1850 East Paris, CSC1 MD ROPSOS Grand Rapids, MI 49546



You asked for:

FIFTH THIRD BANK

This institution has become a branch and been renamed (see Institution History). The current information is:

ONE VANDENBERG CENTER BRANCH

ONE VANDENBERG CENTER

GRAND RAPIDS, MI, UNITED STATES 49503

Institution Type: Domestic Branch of a Domestic Bank

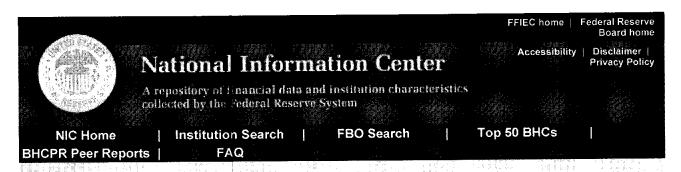
RSSD ID: 913940

Head Office: FIFTH THIRD BANK

### **Financial Data**

Financial statements for this institution type are not available.

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Institution History for FIFTH THIRD BANK (723112)

6 institution history record(s) found.	< Previous Page 1 ★ Next >
Event Histori Date	ical Event
1959-12-31 FIFTH THIRD UNION TRUST COMPANY locate was established as a State Member Bank.	ed at 38 FOUNTAIN SQ PLAZA, CINCINNATI, OH
1969-03-13 FIFTH THIRD UNION TRUST COMPANY was t	enamed to FIFTH THIRD BANK.
1979-01-01 FIFTH THIRD BANK was renamed to FIFTH TH	HIRD BANK, THE.
1995-04-01 FIFTH THIRD BANK, THE split and formed FIF	TH THIRD BANK OF NORTHEASTERN OHIO.
1998-11-03 FIFTH THIRD BANK, THE was renamed to FIF	TH THIRD BANK.
2006-03-31 FIFTH THIRD BANK moved to 38 FOUNTAIN S	SQUARE PLAZA CINCINNATI, OH.

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### **History and Expansion**

Fifth Third's history is rich in growth and innovation, reflecting the economic strength and vitality of the region the bank serves. Fifth Third traces its origins to the Bank of the Ohio Valley, which opened its doors in Cincinnati in 1858. In 1871, that bank was purchased by the Third National Bank. With the turn of the century came the union of the Third National Bank and the Fifth National Bank, and eventually the organization became known as "Fifth Third Bank." Since its beginning, Fifth Third has provided superior customer service and followed sound banking principles. Today, Fifth Third is widely recognized as one of the strongest top-performing banks in the nation. Fifth Third's philosophy of quality continues as the bank expands, creating the standard for the banking industry.

### **Expansion History by Date**

### 1800s

- ➤ The Bank of the Ohio Valley, organized June 17, 1858.
- ➤ The Third National Bank, organized June 23, 1863.
- ▶ The Third National Bank acquired The Bank of the Ohio Valley, April 29, 1871.
- ➤ The Queen City National Bank of Cincinnati, organized September 28, 1882, reorganized April 2, 1888 and renamed The Fifth National Bank.
- ➤ The Union Savings Bank and Trust Company, organized May 10, 1890.

#### 1903-1919

- ▶ The Cincinnati Savings Society, purchased May 3, 1903.
- ➤ The Third National Bank and The Fifth National Bank merged June 1, 1908, to become The Fifth Third National Bank of Cincinnati.
- ➤ Fifth Third National Bank absorbed The Market National Bank, June 1, 1919.
- ▶ The Fifth Third National Bank and Union Savings Bank and Trust Company, affiliated July 2, 1919.
- The Security Savings Bank and Safe Deposit Company and The Mohawk State Bank, purchased November 10, 1919.
- ➤ The Walnut Hills Savings Bank, purchased December 4, 1919.

### 1920-1939

- ► The Court House Savings Bank, purchased January 27, 1921.
- ▶ The Union Savings Bank and Trust Company changed its name to The Union Trust Company in 1923.
- ▶ The Home Savings Bank, purchased November 30, 1923.
- The Winton Savings Bank, purchased June 30, 1924.
- ▶ The First National Bank of Madisonville, purchased March 10, 1925.
- ➤ The Fifth Third National Bank and The Union Trust Company were consolidated on February 23, 1927, and the name changed to The Fifth Third Union Trust Company.
- Assets of the Cosmopolitan Bank and Trust Company, acquired August 11, 1930.
- ➤ The Oakley Bank, purchased December 22, 1930.
- ▶ The Washington Bank and Trust Company, liquidated and absorbed April 1, 1933.



**History and Expansion Page 2** 

#### 1940-1959

- ➤ The Reading Bank, purchased November 24, 1947.
- ➤ The assets of The Camargo Bank of Madeira, purchased July 25, 1949.
- ▶ The Cincinnati Bank and Trust Company, formerly The West End Bank and Trust, purchased March 3, 1952.
- ▶ The Western Bank and Trust Company, formerly The Western German Bank, purchased August 3, 1953.
- The Lincoln National Bank, originally called The German Banking Company in 1873, then known as The German National Bank, acquired May 13, 1955.

### 1960-1979

- The Norwood Hyde Park Bank, acquired June 30, 1961.
- ▶ The Citizens Bank of St. Bernard, purchased September 16, 1963.
- March 24, 1969, the Fifth Third Union Trust Company was renamed Fifth Third Bank.
- ➤ Fifth Third Bancorp was incorporated April 15, 1975.

### 1980-1985

- > Favette County Bank, acquired August 8, 1980.
- ▶ The Farmers Bank, West Union (Fifth Third Bank of Adams County), purchased February 21, 1981.
- ➤ The First Mason Bank, purchased January 29, 1982.
- ▶ Bank of Russellville (Fifth Third Bank of Brown County), acquired March 19, 1982.
- ▶ The Farmers and Merchants Bank, Fairborn (Fifth Third Bank of Miami Valley), acquired April 16, 1982.
- Peoples National Bank, Wapakoneta (Fifth Third Bank, Western Ohio, National Association), purchased August 31, 1983.
- First National Bank, Findlay (Fifth Third Bank, Northwestern Ohio, National Association), acquired October 31, 1984.
- ▶ First Mason Bank merged with Fifth Third Bank, December 31, 1984.
- Fifth Third Bank of Columbus, established de novo July 29, 1985.
- Fifth Third Bank of Miami Valley, merged with Fifth Third Bank, October 31, 1985.
- > Fayette County Bank merged with Fifth Third Bank of Columbus, November 30, 1985.
- American National Bank, Newport, Kentucky (Fifth Third Bank of Campbell County, National Association), acquired December 31, 1985.

### 1986-1989

- Fifth Third Kentucky Bancorp, Inc., established January 7, 1986.
- Boone State Bank, Florence, Kentucky (Fifth Third Bank of Boone County), purchased March 31, 1986.
- Peoples Savings Bank, New Knoxville acquired by Fifth Third Bank of Western Ohio, National Association (formerly The Peoples National Bank), December 31, 1986.
- Fifth Third Bank of Brown County merged with Fifth Third Bank of Adams County to form Fifth Third Bank of Southern Ohio, August 28, 1987.
- The First Bank and Trust of Batesville, Batesville, Indiana (Fifth Third Bank of Southeastern Indiana), purchased December 31, 1987.
- Citizens Heritage Bancorp, National Association (Fifth Third Bank of Miami Valley, National Association), acquired March 31, 1988.
- Security Bank, Covington, Kentucky (Fifth Third Bank of Kenton County), purchased June 20, 1988.

**History and Expansion Page 3** 

### 1986-1989 (continued)

- Commercial National Bank, Tiffin, acquired by Fifth Third Bank, Northwestern Ohio, National Association, July 29, 1988.
- Decatur County Bank, acquired September 23, 1988.
- Decatur County Bank merged with Fifth Third Bank of Southeastern Indiana, January 17, 1989.
- New Palestine Bancorp (Fifth Third Bank of Central Indiana), acquired February 10, 1989.
- ▶ C.S. Bancshares, Inc. of Connersville, Indiana (Fifth Third Bank of Eastern Indiana), acquired August 25, 1989.
- National Bank and Trust Company of Paris, Kentucky, acquired October 31, 1989.
- > First Ohio Bancshares, Inc. (Fifth Third Bank of Toledo), acquired November 30, 1989.
- Citizens State Bank, Greenville, merged with Fifth Third Bank of Miami Valley, National Association, November 30, 1989.
- First Security Bank of Hillsboro, merged with Fifth Third Bank of Southern Ohio, December 13, 1989.

### 1990-1995

- ▶ Fifth Third Trust Company, N.A. formed in Naples, Florida, June 20, 1990.
- Fifth Third Bank of Campbell County, N.A., Fifth Third Bank of Kenton County, N.A. and Fifth Third Bank of Boone County, N.A. merge to form Fifth Third Bank, Northern Kentucky, July 6, 1990.
- The National Bank & Trust Company of Paris, Kentucky renamed Fifth Third Bank of Central Kentucky, N.A., July 6, 1990.
- Chase Bank of Ohio offices purchased in Columbus and Cincinnati, Ohio, August 12, 1991.
- Farmers Exchange Bank acquired and merged with Fifth Third Bank of Central Kentucky, N.A., August 19, 1991.
- Fifth Third Bank of Central Kentucky, N.A. relocated headquarters to Lexington, Kentucky, August 19, 1991.
- Sovereign Savings Bank in Palm Harbor, Florida, acquired and renamed Fifth Third Savings Bank, F.S.B.,
   September 16, 1991.
- Fifth Third Bank of Toledo, N.A. merged with Fifth Third Bank, Northwestern Ohio, N.A., November 12, 1991.
- Fifth Third Bank of Miami Valley, N.A. merged with Fifth Third Bank, Western Ohio, N.A., November 25, 1991.
- Society Bank & Trust's Lima, Ohio deposits acquired December 7, 1991.
- Chase Bank of Ohio's remaining offices purchased in Cleveland, Columbus and Cincinnati, Ohio, January 10, 1992.
- Fifth Third Trust Company, N.A. merged with Fifth Third Savings Bank, F.S.B., to form Fifth Third Trust Co. and Savings Bank, F.S.B., January 31, 1992.
- ▶ Midfed Savings Bank in Middletown, acquired March 27, 1992.
- First Federal Savings and Loan Association of Lima, acquired and merged into Fifth Third Bank, Western Ohio,
   September 5, 1992.
- > Savings of America offices in Chillicothe, Fremont and Oxford, Ohio acquired January 22, 1993.
- First National of Dayton offices acquired February 26, 1993.
- > World Savings and Loan offices purchased in Ohio October 18, 1993.
- ▶ TriState Bancorp and subsidiary First Financial Savings Association F.A. acquired December 23, 1993.
- ▶ The deposits and facilities of eight Equitable Savings offices throughout Ohio purchased May 20, 1994.
- National Bancorp of Kentucky's subsidiary First National Bank of Falmouth, acquired and merged with Fifth Third Bank, Northern Kentucky, June 3, 1994.
- National Bancorp of Kentucky's subsidiary, National Bank of Cynthiana, merged into Fifth Third Bank of Central Kentucky, June 3, 1994.
- The Cumberland Federal Bancorporation acquired to form Fifth Third Bank of Kentucky, Louisville, August 29, 1994.
- Mutual Federal Savings Bank in Dayton acquired January 20, 1995.
- > Fifth Third Bank of Cleveland renamed Fifth Third Bank of Northeastern Ohio, April 1, 1995.

Fifth Third and Fifth Third Bank are registered service marks of Fifth Third Bancorp.



### 1990-1995 (continued)

- > Fifth Third Bank of Southeastern Indiana, merged into Fifth Third Bank of Central Indiana, April 21, 1995.
- ▶ Bank One Lebanon office acquired June 23, 1995.
- Falls Financial, Inc. in Akron acquired and merged with Fifth Third Bank, Northeastern Ohio, July 24, 1995.
- Fifth Third Savings Bank of Naples acquired Bank of Naples, Florida to form Fifth Third Bank, Florida, September 8, 1995.
- PNC Bank, Dayton division acquired September 25, 1995.
- Bank One, Cincinnati, seven offices acquired November 17, 1995.

### 1996-1999

- Fifth Third Bank, Northeastern Ohio acquired the complete Ohio branch presence of 1st Nationwide Bank, January 23, 1996.
- The Ohio operations of First Chicago NBD Bank acquired and merged into Fifth Third Bank of Columbus and Fifth Third Bank, Western Ohio, February 23, 1996.
- Kentucky Enterprise Bancorp, Inc. acquired and merged into Fifth Third Bank, Northern Kentucky, March 15, 1996.
- Gateway Leasing Company purchased June 6, 1997.
- Suburban Bancorp acquired and merged with the Fifth Third Bank, July 25, 1997.
- Great Lakes National Bank Ohio purchased and merged with Fifth Third Bank to create Fifth Third Bank, Butler County, September 26, 1997.
- Heartland Capital Management Inc., headquartered in Indianapolis, acquired November 24, 1997.
- W. Lyman Case & Company, a commercial mortgage banking firm headquartered in Columbus, acquired April 9, 1998.
- The Ohio Company, a full-service broker-dealer and investment management firm headquartered in Columbus, Ohio, acquired on June 12, 1998.
- State Savings Company acquired June 19, 1998; its Ohio subsidiaries, State Savings Bank and Century Bank were merged with Fifth Third Bank of Columbus and Fifth Third Bank, Butler County, respectively; the Arizona subsidiary, States Savings Bank, F.S.B., became Fifth Third Bank, Southwest, F.S.B.
- ► CitFed Bancorp and its subsidiary, Citizens Federal Bank, F.S.B., merged with Fifth Third Bank, Western Ohio, lune 26, 1998.
- Bank One, Southern Ohio, four offices acquired and merged with Fifth Third Bank of Southern Ohio, October 16, 1998.
- ▶ The Fifth Third Bank of Southern Ohio renamed Fifth Third Bank, Ohio Valley, November 2, 1998.
- The Fifth Third Bank of Columbus renamed Fifth Third Bank, Central Ohio, November 2, 1998.
- ▶ The Fifth Third Bank of Central Indiana, renamed Fifth Third Bank, Indiana, November 2, 1998.
- Ashland Bankshares, Inc. acquired and merged with Fifth Third Bank, Ohio Valley, April 16, 1999.
- ▶ Enterprise Federal Bancorp, Inc. acquired and merged with Fifth Third Bank, May 14, 1999.
- > South Florida Bank acquired and merged with Fifth Third Bank, Florida, June 11, 1999.
- Vanguard Financial Corporation, a commercial mortgage banking company, was acquired and merged with Fifth Third Bank/W. Lyman Case, to create Fifth Third Real Estate Capital Markets Company, July 9, 1999.
- Strongsville Savings Bank and its parent company, Emerald Financial Corp., acquired and merged with Fifth Third Bank, Northeastern Ohio, August 6, 1999.
- Peoples Bank Corporation acquired and merged with Fifth Third Bank, Indiana, November 19, 1999.



**History and Expansion Page 5** 

### 2000-Present

- CNB Bancshares, Inc. and its subsidiary Civitas Bank acquired October 29, 1999, and merged with Fifth Third Bank, Indiana (Central), March 17, 2000; with Fifth Third Bank, Indiana (North), April 14, 2000 and Fifth Third Bank, Indiana (South), May 19, 2000.
- Integrated Delivery Technologies, Inc. (IDTI) and Cartel Network acquired and merged with Fifth Third Bank's Midwest Payment Systems (MPS), April 30, 2000.
- ACI Merchant Services acquired and merged with Fifth Third Bank's Midwest Payment Systems (MPS), October 2, 2000.
- Ottawa Financial Corporation and its subsidiary, AmeriBank acquired and merged with Fifth Third Bank, Indiana (Northern), December 8, 2000.
- Maxus Investment Group, acquired and merged with Fifth Third Bank, Northeastern Ohio, January 2, 2001.
- Capital Holdings, Inc. and its subsidiary, Capital Bank, N.A. acquired and merged with Fifth Third Bank, Northwestern Ohio, March 9, 2001.
- > Old Kent Bank acquired April 2, 2001 creating Fifth Third Bank, Eastern Michigan; Fifth Third Bank, Western Michigan; Fifth Third Bank, Northern Michigan; and Fifth Third Bank, Chicago.
- USB (Universal Companies) acquired and merged with Fifth Third Bank's Midwest Payment Systems (MPS), October 31, 2001.
- Fifth Third's Midwest Payment Systems renamed Fifth Third Processing Solutions, January 14, 2003.

Fifth Third and Fifth Third Bank are registered service marks of Fifth Third Bancorp.